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## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

NOV 30 2004

VIA FACSIMILE

Russell Hewit, Esq.  
Dughi, Hewit, Palatucci, P.C.  
340 North Avenue  
Cranford, NJ 07016

RE: In the Matter of the Lower Passaic River Study Area Portion of the Diamond Alkali  
Superfund Site, 122(h) Agreement, CERCLA Docket No. 02-2004-2011  
Congoleum Corporation, Your File No.8851

Dear Mr. Hewit:

As you know, the United States Environmental Protection Agency (EPA) has reached settlement with 31 companies (Settling Parties) as embodied in an Administrative Order on Consent that became effective on June 22, 2004 (AOC). In the very near future, EPA intends to amend the AOC to include nine additional companies and so far eight companies have made commitments to participate.

In correspondence dated February 27, 2004 you indicated that Congoleum Corporation was interested in participating in the settlement and was working with its insurance carriers and the bankruptcy court in that regard. I am writing to request a status update on the progress you have made with respect to participation in this settlement. Please advise at your earliest convenience.

Sincerely,

Kedari Reddy  
Assistant Regional Counsel

cc: William Hengemihle, LECG (via facsimile)  
Emily Won, Kirkpatrick & Lockhart (via facsimile)